

REMARKS

The Office Action dated June 27, 2005 has been carefully reviewed. Claims 10-31 are pending in this patent application. By this amendment, claims 10, 14, 20, 22, 26, and 28 has been amended. Reconsideration of this application, as amended, is respectfully requested.

First 35 U.S.C. § 103 Rejection

Claims 10-31 were rejected under 35 U.S.C. § 103 as being unpatentable over Sanders (U.S. Patent No. 4,445,811) in view of Zelik (U.S. Patent No. 3,447,001). Claims 10, 14, 20, 22, 26, and 28 have been amended to more clearly define the invention. Reconsideration of claims 10-31, as amended, is respectfully requested.

Discussion Regarding Patentability of Amended Claim 26

Amended claim 26 recites, inter alia, the following:

a carriage movable in relation to said vertical support, said carriage having a receptacle ... ;

a hand-held power tool having (i) a housing including a threaded exterior portion, and (ii) a drive spindle, said hand-held power tool being positioned within said receptacle so that a first portion of said hand-held power tool extends through said lower opening and a second portion hand-held power tool extends through said upper opening; and

an attachment member rotatably supported in relation to said receptacle, said attachment member having an internally threaded portion ..., said internally threaded portion being meshingly engaged with said threaded exterior portion of said hand-held power tool,

....

In contrast, the housing 3 of Sanders' power tool does not include a threaded exterior portion, much less, one that mates with an internally threaded portion of an attachment member that is rotatably supported in relation to a receptacle of a movable carriage. Moreover, the collet 4 of Sanders' power tool is not meshingly engaged with any part of the housing of the power tool. Rather, the collet 4 is "[o]n the output shaft of the motor" and is "for receiving a tool bit". (See Sander's at column 4, lines 53-54.)

Thus, even if it would have been obvious to modify Sanders so as incorporate the arm and slots as taught by Zelik, the resulting combination would not arrive at the invention of amended claim 26. Among other missing elements, the system resulting from the proposed combination of Sanders and Zelik would not include a power tool having a housing that includes a threaded exterior portion as required by Applicant's amended claim 26. Accordingly, the proposed combination of Sanders and Zelik does not establish a prima facie case of obviousness under 35 U.S.C. § 103 with regard to the invention of amended claim 26.

Discussion Regarding Patentability of Claims 27-31

Each of claims 27-31 depends directly or indirectly from amended claim 26. As a result, each of claims 27-31 is allowable for, at least, the reasons hereinbefore discussed with regard to amended claim 26. Moreover, each of claim 27-31 recites novel and nonobvious limitations. For example, claim 27 further recites the following limitations:

said hand-held power tool further has a bit locking mechanism,
said receptacle includes a sidewall vertically disposed between said upper opening and said lower opening, and
said sidewall has defined therein an access opening configured to allow a user's finger to extend therethrough to contact said bit locking mechanism of said hand-held power tool.

These limitations were not addressed in the Office Action dated June 27, 2005, nor does it appear that they are disclosed or suggested by either Sanders or Zelik. If the rejection of claim 27 is maintained after considering the above remarks, Applicant respectfully requests that the Examiner specifically identify (e.g. by column and line number) where the limitations of claim 27 are found in Sanders or Zelik (or elsewhere). For example, where in Sanders or Zelik is there a teaching or suggestion of an access opening configured to allow a user's finger to extend therethrough to contact a bit locking mechanism of a hand-held power tool? The Examiner's cooperation in this regard would be appreciated.

Discussion Regarding Patentability of Amended Claim 10

The discussion relating to the patentability of amended claim 26 is relevant to the patentability of amended claim 10. Thus, amended claim 10 is believed to be allowable over Sanders and Zelik.

Discussion Regarding Patentability of Claims 11-19

Each of claims 11-19 depends directly or indirectly from amended claim 10. As a result, each of claims 11-19 is allowable for, at least, the reasons hereinbefore discussed with regard to amended claim 10.

Discussion Regarding Patentability of Amended Claim 20

The discussion relating to the patentability of amended claim 26 is relevant to the patentability of amended claim 20. Thus, amended claim 20 is believed to be allowable over Sanders and Zelik.

Discussion Regarding Patentability of Claims 21-25

Each of claims 21-25 depends directly or indirectly from amended claim 10. As a result, each of claims 21-25 is allowable for, at least, the reasons hereinbefore discussed with regard to amended claim 20.

Second 35 U.S.C. § 103 Rejection

Claims 10-31 were rejected under 35 U.S.C. § 103 as being unpatentable over Zelik (U.S. Patent No. 3,447,001) in view of Sanders (U.S. Patent No. 4,445,811). Claims 10, 14, 20, 22, 26, and 28 have been amended to more clearly define the invention. Reconsideration of claims 10-31, as amended, is respectfully requested.

Discussion Regarding Patentability of Amended Claim 26

Amended claim 26 reads as follows:

26. An assembly, comprising:
a base;
a vertical support connected to said base;
a carriage movable in relation to said vertical support, said carriage having a receptacle that defines an upper opening and a lower opening;
a hand-held power tool having (i) a housing including a threaded exterior portion, and (ii) a drive spindle, said hand-held power tool being positioned within said receptacle so that a first portion of said hand-held power tool extends through said lower opening and a second portion hand-held power tool extends through said upper opening; and
an attachment member rotatably supported in relation to said receptacle, said attachment member having an internally threaded portion that defines a bore extending through said attachment member, said internally threaded portion being meshingly engaged with said threaded exterior portion of said hand-held power tool,
wherein at least a part of said drive spindle is interposed between said carriage and said base when said internally threaded portion of said attachment member is meshingly engaged with said threaded exterior portion of said hand-held power tool.

Zelik's lock nut 43 appears to be threaded on an output shaft of a motor of Zelik's router 11. (See Zelik at column 3, lines 8-12.) Modifying Zelik's router 11 to incorporate Sanders carriage and stop limit as proposed in the June 27, 2005 Office Action would not arrive at the invention of amended claim 26. Indeed, the lock nut 43 (presumably equated with the claimed "attachment member") would not meshingly engage with a threaded exterior portion *of a housing* of a hand-held power tool. Accordingly, the proposed combination of Zelik and Sanders does not establish a prima facie case of obviousness under 35 U.S.C. § 103 with regard to the invention of amended claim 26.

Discussion Regarding Patentability of Claims 27-31

Each of claims 27-31 depends directly or indirectly from amended claim 26. As a result, each of claims 27-31 is allowable for, at least, the reasons hereinbefore discussed with regard to amended claim 26.

Discussion Regarding Patentability of Amended Claim 10

The discussion relating to the patentability of amended claim 26 is relevant to the patentability of amended claim 10. Thus, amended claim 10 is believed to be allowable over Sanders and Zelik.

Discussion Regarding Patentability of Claims 11-19

Each of claims 11-19 depends directly or indirectly from amended claim 10. As a result, each of claims 11-19 is allowable for, at least, the reasons hereinbefore discussed with regard to amended claim 10.

Discussion Regarding Patentability of Amended Claim 20

The discussion relating to the patentability of amended claim 26 is relevant to the patentability of amended claim 20. Thus, amended claim 20 is believed to be allowable over Sanders and Zelik.

Discussion Regarding Patentability of Claims 21-25

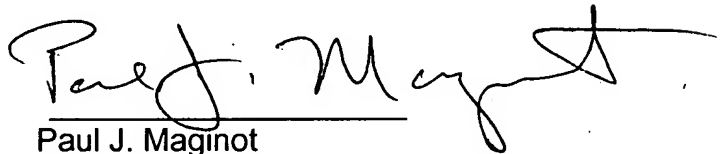
Each of claims 21-25 depends directly or indirectly from amended claim 10. As a result, each of claims 21-25 is allowable for, at least, the reasons hereinbefore discussed with regard to amended claim 20.

Conclusion

In view of the foregoing amendments and remarks, it is submitted that this application is in condition for allowance. Action to that end is hereby solicited.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read "Paul J. Maginot", written over a horizontal line.

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